



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

February 23, 2007

IN REPLY REFER TO

HDA-CA

Document #: S50165

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, MS #82
For Rachel, Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2007 FTIP Amendment No. 2 – Kern Council of Governments (KCOG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 2 to the KCOG 2007 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated February 8, 2007. KCOG adopted Amendment No. 2 with Resolution No. 07-06 on January 18, 2007. With that action, the KCOG Board of Directors approved the program modifications and reaffirmed the consistency of the KCOG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The KCOG 2007 FTIP Amendment No. 2 modifies funding for the State Highway and Operations Protection Program (SHOPP) Collision Reduction projects by programming an additional \$543,000 for PE and \$1,171,000 for construction in FY 06/07 for a Lake Isabella metal beam guardrail project; modifies funding for 12 Projects of National and Regional Significance from the National Corridor Infrastructure Improvement Program by moving the environmental phase from FY 05/06 to FY 06/07; modifies funding for the construction phase of the State Route 178 at Fairfax Interchange project by increasing the Federal National Corridor Infrastructure Improvement Program funds by \$20,300,000 in FY 06/07; advances ROW from FY 07/08 to FY 06/07 for the SR 46 Expressway; programs an additional \$1,000,000 in Section 130 railroad grade crossing projects for two projects in FY 07/08; programs \$573,000 in FY 06/07 and \$287,000 of HES funds in FY 07/08; modifies the schedule, funding, or description for CMAQ projects; moves \$640,000 in TE funds from FY 05/06 to FY 06/07 for a Bakersfield streetscape improvement project; and programs an additional \$1,184,000 in FTA 5307 and 5310 grant funds.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, we accept the modifications to the 2007 Federal Statewide Transportation Improvement Program (FSTIP) for the KCOG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that KCOG's 2007 FTIP, through Amendment No. 2, was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. Chapter 134, and 49

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U.S.C. Chapter 53. This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements.

We have determined that this program modification is exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93 Sections 126 and 127. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000. Therefore, we find that the FTIP continues to conform to the applicable State Implementation Plan (SIP).

This letter constitutes approval and inclusion of the KCOG's FTIP Amendment No. 2 into California's 2006/07 – 2008/09 FSTIP.

If you have questions or need additional information concerning our approval for this KCOG FSTIP amendment, please contact Steven Luxenberg (steve.luxenberg@fhwa.dot.gov) of the FHWA California Division office at (916) 498-5066.

Sincerely,

/s/ Steve Luxenberg

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Karina O'Connor, EPA

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KCOG TIP Binder

sluxenberg/ac